BRIAN M. McINTYRE, Cochise County Attorney BY: MICHAEL A. POWELL, Deputy County Attorney-Arizona State Bar No. 029158 2 P.O. Drawer CA Bisbee, Arizona 85603 3 (520) 432-8700 ATTYMEO@COCHISE.AZ.GOV IN THE SUPERIOR COURT OF THE STATE OF ARIZONA 6 IN AND FOR THE COUNTY OF COCHISE 7 8 STATE OF ARIZONA Case No. CR201700221 9 10 Plaintiff, JUDGE BANNON **DIVISION VI** 11 VS. STATE'S RESPONSE TO PETITION JOSEPH BRANDON ANDERSON FOR POST-CONVICTION RELIEF 12 Defendant. 13 14 The State of Arizona, through the Cochise County Attorney, Brian M. McIntyre, Cochise 15 County Attorney, and Michael A. Powell, his Deputy, hereby responds to the Defendant's Petition 16 for Post-Conviction Relief. 17 The State concurs that, with regards to the Defendant's appeal only, Mr. Swartz was 18 ineffective. The State has no objection to the Defendant filing a delayed notice of appeal. 19 20 21 RESPECTFULLY SUBMITTED this 24th day of January, 2019. 22 23 24 COCHISE COUNTY ATTORNEY 25 By: 26 MICHAEL A. POWELL **Deputy County Attorney** 27

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mailed/delivered/faxed		
this 24th day of January,	2019	)
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The Honorable Terry Bannon Judge of the Superior Court Division VI Bisbee, Arizona 85603 Via Courthouse Distribution Box

Harriette P. Levitt, Esq. 5363 E. Pima St., Suite 101 Tucson, Arizona 85712 Attorney for the Defendant Via US Mail